

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

UNITED STATES OF AMERICA,

Plaintiff,

v.

WILLIAM COOPER,

Defendants.

Case No. 04-CR-30084-DRH

MEMORANDUM AND ORDER

HERNDON, District Judge:

Before the Court is a joint motion to continue trial setting submitted by Defendant William Cooper. (Doc. 37.) The Court being fully advised in the premises finds the trial should be postponed since the Government and Defendant are currently involved in plea negotiations. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such continuance outweigh the best interests of the public and Defendant in a speedy trial. Forcing the government and the Defendant to trial on a case that appears to have great potential to resolve amicably would be a great miscarriage of justice.

Therefore, the Court **GRANTS** Defendant's motion to continue. (Doc.

37.) The Court **CONTINUES** Defendant's trial to Monday, January 29, 2007 at 9:00 a.m. The time from the date that the first motion to continue was filed, September 6, 2006, until the date on which the trial is rescheduled, January 29, 2007, is excludable time for the purposes of speedy trial. The parties shall notify the Court if a change of plea hearing is necessary.

IT IS SO ORDERED.

Signed this 7th day of September, 2006.

/s/ David RHerndon
United States District Judge